

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADVANCED MICRO DEVICES, INC., et al.,

No. C 14-01012 SI

Plaintiffs-Counterdefendants,

**ORDER DENYING AS MOOT  
DEFENDANTS' MOTION TO DISMISS**

v.

LG ELECTRONICS, INC., et al.,

Defendants-Counterclaimants.

On July 10, 2014, plaintiffs filed a motion to dismiss defendants' counterclaims. Docket No. 49. A hearing on the motion is currently scheduled for Friday, August 29, 2014 at 9:00 a.m. Pursuant to Civil Local Rule 7-1(b), the Court determines that this matter is appropriate for resolution without oral argument and VACATES the hearing. On August 1, 2014, defendants filed a first amended answer and counterclaims, Docket No. 59, mootng plaintiffs' motion to dismiss. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992) ("[A]fter amendment the original pleading no longer performs any function and is 'treated thereafter as non-existent.'"); *Hal Roach Studios, Inc. v. Richard Feiner & Co.*, 896 F.2d 1542, 1546 (9th Cir. 1990) ("[A]n amended pleading supersedes the original."). Accordingly, the Court DENIES as moot plaintiffs' motion to dismiss defendants' counterclaims. Docket No. 49.

**IT IS SO ORDERED.**

Dated: August 5, 2014

  
SUSAN ILLSTON  
United States District Judge